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## Howard Zehr, *The Little Book of Restorative Justice* (Good Books, 2002)

A book review by Jan Frankel Schau (ADR Services, [jfschau@schaumediation.com](mailto:jfschau@schaumediation.com))

As part of the IAM Initiative's Heroes Spotlight session at the recent IAM conference in Austin, Distinguished Fellow Michael Geigerman brought a backpack of books to distribute. Though I had no background or familiarity with Restorative Justice, I picked up *The Little Book of Restorative Justice* and found it dynamite (plus a quick read). The book accomplished exactly what its author, Howard Zehr, a founder of the Restorative Justice movement, prescribes: "Restorative justice requires us to change not just our lenses but our questions." After reading this little 64-page book, I find myself with more questions than answers, but am nonetheless inspired to keep asking.

The book starts by defining Restorative Justice by what it is not. It is not, for example, an alternative to prison, nor a "criminal" mediation. What it is, is an attempt to expand the circle of stakeholders in criminal events beyond just the government and the offender to include the victims, members of the community and even the offender. It offers victims the opportunity to gain information, to tell their truth, to demand and receive restitution – even if just symbolically. It holds the potential for restoring the community that has been impacted by the crime. For offenders, it offers a means of accepting accountability, expressing both empathy and responsibility and encouraging a very personal transformation, ultimately leading them back to the community if possible.

Restorative Justice rests on principles that guide many cultures globally. It stems from the philosophy that we are all interconnected and that a break in connection affects all of us profoundly, and perhaps permanently, absent concrete efforts to restore the chain. Like civil mediation, Restorative Justice promotes "engagement" through dialogue in order to fully address the victims' harms and to hold offenders fully accountable for their conduct.

As I read the book, I was struck by the parallels as much as the distinctions between Restorative Justice and commercial civil litigation. Certainly both are designed to redress harm and sometimes restore relationships, but it goes beyond that. In an age when 97% of the cases filed never actually get to trial, we civil mediators in many ways function as "the community" each time we conduct a negotiation which includes holding offenders accountable to their victims. As the global economy changes, courts and governments may find they must increasingly rely on "the community" to pave the way towards justice as they can no longer function as the sole arbiter of who is right and what is owed.

What's more, what we civil mediators do in every mediation session mirrors the principles of Restorative Justice by bringing parties together to engage with each other. As Zehr observes, "A meeting allows a victim and an offender to put a face to each other, to ask questions of each other directly, to negotiate together how to put things right."

Restorative Justice relies on psychological principles as well. For example, in the context of domestic violence, many believe that "unresolved trauma tends to be reenacted" and that victims of domestic violence are far more likely than others to be abusers in adulthood. Spending the necessary time and resources to shift the balance between victims and offenders holds the potential of changing future behaviors in positive ways, perhaps for generations.

Zehr concludes by observing that Restorative Justice is like a river. It started as a tiny trickle in the 1980s and has gradually widened and deepened as far-reaching tributaries have tested the waters and contributed to the field. Indeed, our own IAM Initiative will no doubt contribute to the conversation and add to the flow through many of the innovative programs our members have begun.

The argument for Restorative Justice can be summed up this way: "[J]ustice will not be served if we maintain our exclusive focus on our current justice systems: What laws have been broken? Who did it? What do they deserve?" It is, indeed, a myopic system if our lenses are never focused on the impact that the offense had on its victims and the larger community.

By beginning the IAM Initiative, IAM members have accepted Howard Zehr's invitation to make a contribution to the field: by asking questions, by facilitating dialogue, by examining how justice is carried out. That's a powerful impact for a little book.

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